

with responsibility for water source development for the purpose of maximizing available water supply and protecting the environment through the development of alternative water sources; to the Committee on Environment and Public Works.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 8, 2000, he had presented to the President of the United States, the following enrolled bills:

S. 1744. An act to amend the Endangered Species Act of 1973 to provide that certain species conservation reports shall continue to be required to be submitted.

S. 2323. An act to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the act.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-491. A joint resolution adopted by the Legislature of the State of Idaho relative to the Northern Rockies Protection Act; to the Committee on Energy and Natural Resources.

##### HOUSE JOINT MEMORIAL No. 6

Whereas, on February 2, 1999, H.R. 488, known as the "Northern Rockies Ecosystem Protection Act," was introduced in the U.S. House of Representatives;

Whereas, the Act is far reaching and would designate wilderness, wild and scenic rivers, national park and preserve study areas, wildland recovery areas, and biological connecting corridors in five northwest states: Idaho, Montana, Oregon, Washington and Wyoming;

Whereas, the Act would create over eight million acres of new wilderness alone, approximately five million acres of which would be in Idaho, more than in any other state;

Whereas, the Act also designates over a million acres along the Idaho-Oregon border as the Hells Canyon/Chief Joseph National Preserve;

Whereas, the Act, a concept presented by the Montana-based environmental group, the Alliance for the Wild Rockies, was first introduced in 1992 to oppose a bill designating wilderness areas only in the state of Montana;

Whereas, the members of the Idaho congressional delegation opposed the Act in 1992 and continue to oppose it now;

Whereas, the Act is also opposed by the majority of representatives in the Congress from the other affected states: Montana, Oregon, Washington and Wyoming;

Whereas, the lands addressed by the Act closely resemble those at issue in President Clinton's current roadless lands initiative, which is also opposed by the state of Idaho and the Idaho congressional delegation;

Whereas, setting aside so much acreage in Idaho as wilderness, wild and scenic rivers, national park and preserve study areas, wildland recovery areas, and biological connecting corridors would severely reduce employment and income in many areas of the state in which it is difficult to replace the lost money by other means, and would landlock thousands of acres of state endowment land, thereby reducing funds for public education in Idaho. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress of the United States to oppose H.R. 488, known as the "Northern Rockies Ecosystem Protection Act." Be it further

*Resolved*, that the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress of the United States to oppose H.R. 488, known as the "Northern Rockies Ecosystem Protection Act." Be it further

*Resolved*, that the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, support natural resource planning and environmental management featuring site-specific management decisions made by local decision-makers, local citizens and parties directly and personally affected by land and resource management decisions. Be it further

*Resolved* that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM-492. A joint resolution adopted by the Legislature of the State of Idaho relative to additional de facto wilderness in Idaho; to the Committee on Energy and Natural Resources.

##### HOUSE JOINT MEMORIAL No. 7

Whereas, Idaho is a state which has sixty-six percent of its landmass controlled by the federal government; and

Whereas, access to Idaho's public lands is a vital part of Idaho's natural resource economy as well as an important part of our citizens heritage, recreation and enjoyment; and

Whereas, Idaho currently has 4,081,315 acres of wilderness which is sufficient; and

Whereas, President Clinton has proposed to establish another nine million acres of defacto wilderness in Idaho by declaring certain public lands in the state to be roadless; and

Whereas, Idaho Governor Dirk Kempthorne requested a longer comment period for Idaho citizens to study and comment on the roadless plan and his request was summarily denied by the United States Forest Service; and

Whereas, the state of Idaho has been compelled to initiate a lawsuit to protect its interests in Idaho land designated as public; and

Whereas, roadless areas prevent access to the forests of Idaho and negatively affect forest health by preventing intervention in disease, insect infestations and fire suppression. Now, therefore, be it

*Resolved* by the members of the Second Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Congress of the United States is urged to pass legislation negating any Presidential Executive Order President Clinton may issue regarding additional defacto wilderness and instructing the United States Forest Service and the Bureau of Land Management to maintain roads and access into the public lands in Idaho. Be it further

*Resolved* that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate

and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-493. A joint resolution adopted by the Legislature of the State of Idaho relative to extending the deadline on the notice of intent to solicit comments on two draft environmental impact statements, one set of draft rules and a draft environmental assessment; to the Committee on Energy and Natural Resources.

##### SENATE JOINT MEMORIAL No. 105

Whereas, on October 19, 1999, the United States Forest Service announced a vast "rulemaking process to propose the protection of the remaining roadless areas within the National Forest System." 64 FR 56306. This rulemaking purportedly includes two draft environmental impact statements, at least one set of draft rules, and a draft environmental assessment; and

Whereas, the Notice of Intent (NOI) solicits comments "on the scope of the analysis that should be conducted" and "on the identification of alternatives to the proposal" that will be set out in this multitude of documents. The NOI then provides prospective commentators with slightly more than sixty days to comment on this enormous and poorly defined proposal. The NOI is an unacceptable affront to the promise of meaningful public participation that is the centerpiece of the National Environmental Policy Act (NEPA); and

Whereas, more than forty million acres of land in the West could be affected by the actions contemplated in the NOI. A permanent moratorium on Forest Service road development will have a devastating impact on timber communities in the West. The proposed moratorium will destroy attempts to develop recreational economies in the West and deny access to huge areas of the West to all but the able-bodied. The sum, the moratorium will deny thousands of citizens the opportunity to use, enjoy and benefit from the land; and

Whereas, the process used by the Forest Service to consider such a potentially severe decision must reflect absolute fairness and deliberation. The NOI demonstrates neither of those traits. No specific proposals are identified. No preliminary findings are referenced; and

Whereas, these failures violate one of NEPA's primary objectives of encouraging and facilitating "public involvement in decisions which affect the quality of the human environment." 40 CFR 1500.2(d); and

Whereas, the NOI states that it "initiates the scoping process." 64 FR 56307. However, the NOI does not identify "the significant issues related to [the] proposed action," as is required by federal regulations. 40 CFR 1501.7. The NOI does not encourage "the participation of affected federal, state and local agencies" and the regulations implementing NEPA anticipate. 40 CFR 1501.7(a)(1); and

Whereas, the ambiguity and confusion that characterize the NOI are compounded by the fact that the comment period is so brief. Title II 40 CFR 1501.8(b)(1)(i)-(viii) specifically set out considerations that the Forest Service should be using in determining the time limits for soliciting comments on the NOI.

"(b) The agency may:

(1) Consider the following factors in determining time limits:

(i) Potential for environmental harm.

(ii) Size of the proposed action.